

Carlisle Conservation Commission
June 14, 2012

Vice chair Kelly Guarino opened the meeting. Also present were Luke Ascolillo, J. Thomas Brownrigg, Jenifer Bush, Lee Tatistcheff, Tom Brown and Conservation Administer, Sylvia Willard. Chair Peter Burn was not present.

7:15-7:45 Executive Session

Executive session minutes are written separately.

7:50-8:00 Minutes, Bills and General Agenda Items

Guarino moved to add the discussion of a tree removal, at 119 Maple St to the agenda. Ascolillo seconded the motion. All voted in favor.

Fallen Cherry Tree at 119 Maple Street

Property owner, Kelly Guarino wanted to cut up a large, wild black cherry tree that had fallen within the buffer zone, narrowly missing hitting her house. A branch sample was submitted to the commission and Willard photographed it. The tree has three separate trunks, two fallen, one still standing. It was agreed that she does not need special permission to cut it up.

Certificate of Compliance for 78 Daniels Lane, Lot 5, Hart Farm Estates.

At Willard's recommendation, based on a prior site visit, Bush moved to issue a Certificate of Compliance to 78 Daniels Lane, Lot 5 of Hart Farm Estates. Ascolillo seconded the motion. All voted in favor. A Certificate of Compliance was circulated and signed.

Election of Chair and Vice Chair

Guarino agreed to be chair, while Ascolillo agreed to vice chair. Bush moved to elect them, which was seconded by Ascolillo. All voted in favor.

Land Use Permit: DCR or Emerald Ash Borer Training

Tom Brown moved to grant a Land Use Permit to the Massachusetts DCR and USDA Aphis for June 21 in order to train volunteers to look for ground nesting wasps, and use the beetles the wasps collect to search for Emerald Ash Borers. Tatistcheff seconded the motion. All were in favor.

8:00 DEP 125-0919 Notice of Intent, continued hearing

Applicant: William Costello

Project Location: Map 7, Parcel 38, Lot 7, Cross Street

Project Description: Construction of a single family home and utilities with work within the 100 foot Buffer Zone of a bordering vegetated wetland.

George Dimakarakos presented the revised plans for the property owner. The plan changes include the addition of construction fencing along the far side of a pathway to prevent tree clearing in the buffer zone, installing iron pins as markers along the property line between the subject property and the town-owned property, and the addition of a split rail fence along a line of hay bales already in place.

In response to concern about the back yard creeping toward the wetlands, four foot high retaining walls were proposed between the flat lawn, and the fence. There was some confusion as to why there needed to be a fence and a retaining wall. It was discussed that there would be about 8 ft in

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between, planted with unmaintained yard and that the two walls would serve as a visual barrier. Bush pointed out that there was known ledge on the property, and wondered if the project would be able to be put in without blasting. Dimakarakos said that they do not expect to hit the ledge, and do not expect to blast, although he agreed that it was possible they might hit something, in which case they would attempt to remove it by hammering. It was agreed that in the event that blasting was determined to be necessary, site specific plan would be resubmitted to the Conservation Commission for approval.

Willard had previously asked that the surveyed wetland flags be replaced, and they have been. She also asked how accurate the survey is. Dimakarakos explained that surveying is accurate to 1/100 of a foot and the flag placement to close that. Willard was concerned that the leach field was not properly outside the 100-foot Buffer Zone based upon her review of the now installed wetland flags. Willard stated that as best she could tell the wetland flags near the septic field should be 4-feet closer to the field than how they are shown on the plan. On the plan the field is touching the edge of the 100-foot Buffer Zone.

The Board of Health requires that the septic fields for new construction be located outside the 100-foot Buffer Zone. It is up to the Conservation Commission to decide if the wetlands flagging is accurate for a septic system. It was decided that because the stream and wetlands line varies over the years based on rainfall, the leaching field was acceptable.

Brownrigg commented that there is a certified vernal pool, in close proximity to the corner of the house and to the path. He wanted to be sure that it remained undisturbed. It was determined that the vernal pool should be protected because it was located in the buffer zone and this requires a filing, but Guarino suggested that this issue be noted on the Order of Conditions, so that the homeowners would be aware.

Brown moved to close the hearing. Bush seconded his motion and all voted in favor. Brown moved to issue a Standard Order of Conditions for DEP #125-0919 with the special conditions for more review if blasting is determined to be necessary, no trees to be cleared north of the path because of a certified vernal pool, and the special Continuing Condition to allow for hand removal of invasive species. Ascolillo seconded the motion and all voted in favor. Brownrigg abstained because he had missed an earlier meeting.

8:20 DEP 125-0920 Notice of Intent, continued hearing

Applicant: Ray and Vanessa Moroney

Project Location: 142 Bedford Road

Project Description: installation of a landscape plan

Guarino opened the hearing. Vanessa Moroney presented a landscape plan to which she had made some recent revisions. Revisions include pavers below the deck to avoid mud instead of a full patio, raised garden beds in the back yard, and potentially swing set or play structure, placed on leveled ground with wood chips. Moroney would also like to switch the rhododendrons indicated in the plan to an evergreen, so that there is more privacy in the winter. An original Order of Conditions for the recent construction of this home allowed for the back yard lawn to extend further toward the wetlands, but the Moroney's decided to not extend the full possible distance. Part of the landscape plan has already been executed within the 100-foot Buffer Zone; there have been two trees, some garden beds and a pathway installed in the front yard.

Willard did a site visit and said that things seem to be growing in nicely, but that there are may invasive species growing into the area beyond fence in the backyard. She recommended giving them a continuing condition to allow the homeowners to hand pull to control the invasive species. Brownrigg asked whether the land was level and was informed that it sloped toward the wetlands, with one larger

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drop off near the house. Bush moved to close the hearing. Ascolillo seconded the motion.

Brown moved to issue a Standard Order of Conditions for DEP 125-0920 to Ray and Vanessa Moroney with the continuing special condition to allow for the manual hand removal of invasive plant species, referencing the plan revised from June 14, 2012. Tatistcheff seconded the motion. All voted in favor.

8:35 Jesse Steadman: Urban and Environmental Policy and Planning, Middlesex Conservation District: Targeted Agricultural Funding

Steadman, a consultant for the Middlesex Conservation district came before the commission to explain the districts purpose and get answers to a survey. There are 14 districts in Massachusetts, each of which act as a state entity to work with landowners, farmers and communities connect them with programs to help improve the farms, natural resources and wildlife areas. The districts created a local working group to collect information about what concerns local residents are having about their natural resources, as well as which resources the towns have already used and what they thought about the programs. To collect this information, Steadman has brought a survey to various town functions throughout the district to collect more information. He will be collecting the survey data late July, and send a report to the NRCS and the USDA in September. Geographically specific information is helpful to the federal and state levels when distributing monetary resources. Steadman brought the survey to the commission. Willard brought up that Carlisle used WHIP (Wildlife Habitat Incentive Program) to bring sheep to Towle Field in order to control invasive species. This was very successful but WIP no longer gives funds to town land projects and now is only for private landowners. It was agreed that each commissioner would fill it out separately, but the survey would be put on the agenda for group discussion. In addition, Willard will distribute the survey to the Land Stewards, and the Carlisle Conservation Foundation for them to discuss at their meetings. The Carlisle Mosquito was also given the survey. It is also available online. Steadman will send Willard the final report, when finished.

8:20 DEP 125-783 Request to Amend Orders of Conditions

Applicant: Peter Lemonias

Project Location: 157 Koning Farm Road

Project Description: redesign to a previously permitted house lot

George Dimakarakos presented a redesigned plan for the lot. In 2006, a plan was approved, with an outstanding order of conditions, for a large house, which would require a lot of grading and retaining walls. The original plan had an Extension Permit issued in May 2009, which extends the time until 2014, with a special condition that the engineer will verify that no grading has occurred within the Wetlands Flood Hazard Zone District at the completion of the project. The builders have now redesigned, planning to build a smaller house located farther from the buffer zone. There would also less grading, and significantly less fill required. The driveway would be moved, such that it is more fully located within the buffer zone than in the previous plan. The driveway will be paved. Some work was begun for the 2006 plan, such that there were some trees cleared. Now, there is a lot of second growth, young habitat growing in. This brush will be taken out and become lawn, up to the hay bale markers on the plan. The hay bales previously installed under the earlier issued Order of Conditions have since rotten away, and will need to be replaced.

Brown wondered about the rain water collection system for the water draining from the pavement. It was decided that while the pavement is now flatter, it is still sloped enough that they would need a vegetated buffer strip. Willard mentioned that there has been material from the school building project that has been stored on the property. She wanted to be sure that this material did not end up in the buffer zone or wetland. Willard proposed second limit of work to prevent clearing of the

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area between the current limit of work, and the wetlands. Bush said that she thought the new plan was a big improvement to the original plan.

Brown moved to close the hearing. Tatistcheff seconded the motion.

Brown moved to accept the request to amend the Orders of Conditions as delineated on the map revised May 31, 2012, with the standard continuing condition to allow for hand removal of invasive species within the wetlands. Ascolillo seconded the motion. All voted in favor.

9:15 New/Pending Business, Old Business

Elliot Land grant Application review and signatures

Willard, project manager for the aquisition, presented the Land Grant Application, appraisal and cover letter. The application asks for \$290,000 to help with the land acquisition of Lot 6 and a small parcel that goes out to the river, which is 51.8% of the appraised value. The town is authorized to ask for 54% of the value. The Land Grant Application is due to the state by July 12. The application requires the Conservation Commission members' signatures and the cover letter requires the signature of the chairman. Tatistcheff moved to sign the land grant application. Bush seconded the motion. All voted in favor and the Land Grant Application and the cover letter were signed.

Summer Meeting Schedule

The summer meeting schedule was set. Meetings will be June 14 and 28, July 19, August 16, and September 13 and 27.

Conservationist of the Year Award

Warren Lyman was nominated more than once and it was decided that he certainly deserved the award for his hard work and dedication. Brownrigg moved to select Warren Lyman as Conservationist of the Year. Brown seconded the motion and all voted in favor. Brownrigg volunteered to write a statement, which will be reviewed over email before being submitted to Phyllis Hughes.

Willard suggested that this year it would be nice to have a Junior Conservationist Award. This would not necessarily be an annual award. She recommended Claire Brandhorst, age 13, for the award. Brandhorst has been making turtle crossing warning signs since 2003 to put up on Russell Street. She has also written a biodiversity column, a letter to the editor and an article, all about turtles. This has all been entirely on her own initiative. Tatistcheff volunteered to write a statement, and Guarino volunteered to make and present the award on Old Home Day. Willard will make sure that Brandhorst is present to accept the award. Tatistcheff moved to award Claire Brandhorst a Special Junior Conservationist Award. Ascolillo seconded the motion. All voted in favor.

Foss Farm Field Edge Clearing

As the Administrative Assistant has been out on sick leave since July 1, 2011, there is extra money in the budget. Some of this money went to pay for additional mowing at Towle Field to control buckthorn and poison ivy. It was proposed that the rest is used to hire a contractor to clear the field edges at the upper field at Foss Farm, next to Rt. 225. There is about 30 ft by 800 ft of young trees, shrubs and invasive plant growth into the field from the edges. The plan would be to clear these trees and brush back to the stone wall, leaving the specimen trees found there. Willard brought some aerial photographs from 1991, showing the sheer amount of growth at the field edges. She also said that she has discussed the proposal with farmer Mark Duffy and he is agreeable to this plan.

Willard and Jack O'Connor have met with the six land clearing contractors and have four bids, three of which they deem reasonable. There were a variety of methods proposed by the contractors, from hand and small machine clearing to excavators, and chippers. O'Connor will be able to

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recommend a plan of action at the next meeting.

There is \$13,481 set aside in Line Item from the General Funds for the Administrative Assistant wages. This year, only \$2,843.72 has been used. Willard recommended transferring this expense to the 53E1/2 account, which can be used for part-time salaries, under the wetlands protection bylaw. This will free up the entire line item for the clearing project. In addition to this money, there is approximately \$2,000 remaining from this year's maintenance line item. In total, there is about \$15,500 that could be used for maintenance this year. \$4,738.50 will be needed for the Towle and Benfield mowing contracts, leaving a predicted \$10,800 available for field edge work and maintenance. Tatistcheff wondered if there would be money available to plant noninvasive, habitat enhancing plants at Towle or other fields so as to increase the diversity. It was decided that this would be nice, but will not be feasible this year.

Tatistcheff moved to move \$2,842.72 into the 53E1/2 account to free up money for field maintenance. Ascolillo seconded the motion. All voted in favor.

Government Study

Brown volunteered to be the Conservation Commission's designated member of the government study steering committee. Brownrigg moved to nominate Brown, and Tatistcheff seconded the motion. All voted in favor.

May 10 Executive Session Minutes

Tatistcheff moved to accept the May 10, 2012 executive session minutes. Ascolillo seconded. All voted in favor.

Cranberry Bog Coordination Committee Report

The group met a couple of weeks ago in Chelmsford. Willard, Guarino, Warren Lyman, and Chelmsford representative were present. They discussed current events at the Cranberry bog. They will hold a site visit of the drained side of the bog to look for invasive plants and check the situation. The Barnes Terrace Wellfield proposed project next to the Chelmsford Bog Property was discussed as well. They do plan to go ahead with the plan but the DEP unofficially says that they need Right of First Refusal to the surrounding land before they can test. The Cranberry Bog Coordination Committee will meet next on November 13. Guarino will forward the draft of the minutes to the commissioners.

Invasive Plants Management on Private Properties, Westford

Westford did a town wide filing to control a particular invasive plant managed through the land trust. A notice was put in the paper. If anyone had this plant on their property, they could call the land trust and someone would come out and help them deal with the invasive plant. This may not be a legal option for Carlisle because the notice would have to be sent out Certified return receipt to all residents near wetland resource areas.

10:05 Brownrigg moved to adjourn; Brown seconded the motion. All voted in favor and the meeting adjourned.

Minutes respectfully submitted by Amelia Cox.

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